

## **REMARKS**

This communication responds to the Final Office Action dated April 15, 2010.

Claim 16 is amended, and no claims are canceled or added by this Response. Claims 16-17, 19-26, and 31-38 remain pending in this application.

### **The Rejection of Claims Under § 112**

Claims 16-17 and 19-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office Action states that there is insufficient antecedent basis for “the original XML document.” Claim 16 is amended to provide appropriate antecedent basis in the claim. Entry of the amendment under 37 CFR 1.116(b)(1), withdrawal of the rejection, and allowance of claims 16-17 and 19-26 is respectfully requested.

### **The Rejection of Claims Under § 103**

1. Claims 16, 20-21, 23-25, and 31-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cseri et al. (U.S. Publication No. 2003/0046317; hereinafter “Cseri”), in view of Eller (U.S. Publication No. 2005/0278616), Petersen et al. (U.S. Publication No. 2005/0144556; hereinafter “Petersen”), and Debettencourt et al. (U.S. Publication No. 2005/0060372; hereinafter “Debettencourt”).

Applicant respectfully traverses the rejection because the cited portions of the cited references do not teach each and every element recited in independent claims 16 and 31. For example, Applicant cannot find in Cseri, Eller, Petersen and Debettencourt and/or the reasoning of the Office Action, among other things, an XML processing module to

convert the compressed binary stream into compressed ASCII text encoded from the compressed binary stream, and format the compressed ASCII text so as to form a compressed valid XML document,

as presently recited in claims 16 and 31 and incorporated into claims 20-2, 23-25, and 32-35.

The Office Action notes on page 4 that Cseri does not explicitly disclose *i*) converting a compressed binary stream into compressed ASCII text encoded from the compressed binary

stream and *ii*) formatting the compressed ASCII test so as to form a compressed valid XML document.

The Office Action then asserts that Eller teaches converting a binary stream into [encoded] ASCII text and vice versa, and states that it would have been obvious to a person of ordinary skill in the art to combine teachings of Eller with teachings of Cseri “since the conversion would have converted different binary [files] and provided an XML document in valid form.” The Office Action also states on page 4 that Petersen teaches XML documents are compressed valid XML documents with elements and attributes in shot tokens, and that it would have been obvious to combine Petersen’s and Cseri’s teachings to convert compressed binary into compressed valid XML.

However, combining Cseri, Eller and Petersen would not result in what is claimed by the Applicant.

Cseri refers to taking a well formed XML document in a text format, converting it into a binary format and converting the document back to the text format without a loss of fidelity (*see e.g.*, Cseri, ¶0014). Cseri refers to converting from a binary format only to recreate the original XML document and not to create compressed ASCII text encoded from the compressed binary stream. Thus, the intermediate state of the document in Cseri is a binary document and not encoded compressed ASCII text.

Eller refers to converting an XML document (CMF-X) from ASCII data into binary CMF (CMF-B) data for transmission through a network (*see e.g.*, Eller ¶0018). Once passed through the network, the CMF-B data is then converted *back* into an XML recognizable format (CMF-X). Similar to Cseri, Eller refers to converting from a binary format only to recreate the original CMF-X document and not to create compressed ASCII text encoded from the compressed binary stream. Thus, the intermediate state of the document in Eller is also a binary document and not encoded compressed ASCII text.

Petersen relates to converting traditional XML documents into tokenized XML (*see Petersen ¶0083, lines 1-4*). Petersen refers to looking up XML document elements and replacing a real name with a corresponding token (¶0083, lines 12-16). Thus, Petersen operates on XML documents and does not operate on the intermediate-state binary format documents of Cseri and

Eller. Also, Petersen does not operate on compressed ASCII text so as to form a compressed valid XML document, but instead operates on traditional XML documents.

Therefore, the proposed combination of Cseri, Eller and Petersen does not result in what is claimed by the Applicant. Debettencourt is relied only for a description of XML encoding. Therefore, Cseri, Eller, Petersen and Debettencourt do not provide each and every element of these claims.

Additionally, Cseri and Eller teach away from [formatting] the compressed ASCII text so as to form a compressed valid XML document for transfer over a network, as recited in claim 31. Cseri relates to a technique for incorporating binary formatting into a tag-based description language such as XML (*see* Cseri, Abstract). Cseri states that the binary format is to reduce parsing time at a recipient computing device (¶0004). Thus, Cseri teaches away from forming a compressed valid XML document for transfer over a network. As noted above, Eller refers to converting an XML document (CMF-X) from ASCII data into binary CMF (CMF-B) data for transmission through a network. Eller states that a binary representation is efficient for transmission through networks, particularly those where bandwidth and critical timing constraints are encountered (*see* Eller, ¶¶0017-0018). Thus, Eller also teaches away from forming a compressed valid XML document for transfer over a network. Therefore, the proposed combination of Cseri, Eller, Petersen and Debettencourt teaches away from what is claimed by the Applicant.

Accordingly, at least for these reasons, withdrawal of the rejection and allowance of claims 16, 20-21, 23-25, and 31-35 is respectfully requested.

**2.** Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cseri, Eller, Petersen and Debettencourt as applied to claim 16 above, and further in view of Krasinski et al. (U.S. Patent No. 6,850,948; hereinafter “Krasinski”). Applicant respectfully traverses the rejection.

Claims 36 depends on base claim 16, and claims 37-38 ultimately depend on base claim 31. As explained above, Cseri, Eller, Petersen and Debettencourt fail to provide each and every element of the base claims. Krasinski fails to provide the missing elements such as an XML processing module to

convert the compressed binary stream into compressed ASCII text encoded from the compressed binary stream, and format the compressed ASCII text so as to form a compressed valid XML document.

Additionally, in regard to claim 38, Applicant cannot find a decompression module configured to decompress a compressed valid XML document received over the network. The Office Action asserts on page 9 that this is found in Cseri. However, as explained above, Cseri actually teaches away from forming a compressed valid XML document for transfer over a network. Thus, Cseri, Eller, Petersen, Debettencourt and Krasinski fail to provide each and every element of the base claims.

Accordingly, withdrawal of the rejection and allowance of claims 36-38 is respectfully requested.

**3.** Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cseri, Eller, Petersen and Debettencourt as applied to claim 16 above, and further in view of Girardot et al. (U.S. Publication No. 2003/0023628; hereinafter “Girardot”). Applicant respectfully traverses the rejection.

Claims 17 depends on base claim 16. As explained above, Cseri, Eller, Petersen and Debettencourt fail to provide each and every element of the base claim 16. Girardot fails to provide the missing elements such as an XML processing module to

convert the compressed binary stream into compressed ASCII text encoded from the compressed binary stream, and format the compressed ASCII text so as to form a compressed valid XML document.

Accordingly, withdrawal of the rejection and allowance of claim 17 is respectfully requested.

**4.** Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cseri, Eller, Petersen and Debettencourt as applied to claim 16 above, and further in view of Tycksen, Jr. et al. (U.S. Patent No. 6,189,097; hereinafter “Tycksen”). Applicant respectfully traverses the rejection.

Claim 19 depends on base claim 16. As set forth above, Applicant believes base claim 16 to be allowable at least for the reason that Cseri, Eller, Petersen and Debettencourt fail to provide

some of the elements of the base claim. Tycksen fails to provide the missing elements, such as an XML processing module to

convert the compressed binary stream into compressed ASCII text encoded from the compressed binary stream, and format the compressed ASCII text so as to form a compressed valid XML document.

Accordingly, withdrawal of the rejection and allowance of claim 19 is respectfully requested.

**5.** Claims 22 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cseri, Eller, Petersen and Debettencourt as applied to claim 16 above, and further in view of Ma et al. (U.S. Publication No. 2005/0063575; hereinafter “Ma”). Applicant respectfully traverses the rejection.

Claim 22 depends on base claim 16, and claim 34 depends on claim 31. As set forth above, Applicant believes base claims 16 and 31 to be allowable at least for the reason that Cseri, Eller, Petersen and Debettencourt fail to provide some of the elements of the base claim. Ma fails to provide the missing elements, such as an XML processing module to

convert the compressed binary stream into compressed ASCII text encoded from the compressed binary stream, and format the compressed ASCII text so as to form a compressed valid XML document.

Accordingly, withdrawal of the rejection and allowance of claim 19 is respectfully requested.

**6.** Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cseri, Eller, Petersen and Debettencourt as applied to claim 16 above, and further in view of Hsu et al. (U.S. Publication No. 2004/0205158; hereinafter “Hsu”). Applicant respectfully traverses the rejection.

Claim 26 ultimately depends on base claim 16. As set forth above, Applicant believes base claim 16 to be allowable at least for the reason that Cseri, Eller, Petersen and Debettencourt fail to provide some of the elements of the base claim. Hsu fails to provide the missing elements, such as an XML processing module to

convert the compressed binary stream into compressed ASCII text encoded from the compressed binary stream, and format the compressed ASCII text so as to form a compressed valid XML document.

Accordingly, withdrawal of the rejection and allowance of claim 26 is respectfully requested.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (612) 371-2172 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402--0938  
(612) 371-2172

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By Paul J. Urbanski  
Paul J. Urbanski  
Reg. No. 58,351

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 11th day of June, 2010.

Cheryl L Knapp  
CHERYL L. KNAPP